HIS SISTER-IN-LAW ARRESTED. ACCUSED OF KILLING HIM.

J. CLAYTON ERB SHOT DRAD

Dead Man Was Israel W. Durham's Conidential Secretary, a Leader of Philadelphia Politics, and Had Quarrelled Often With His Wife and Her Sister.

PHILADELPHIA, Oct. 6 .- Capt. J. Clayton Erb, confidential secretary to Israel W. Durham and one of the political leaders of Philadelphia, was shot and killed instantly at his country home. Red Gables, a: Gle riddle, some miles outside of Media, to-night

Mrs. Harry G. Beisel of Philadelphia, sister of Mrs. Erb, was arrested late tonight by Constable Simpson of Rockdale, charged with killing him. The authorities say that she admitted the shooting, and said it was done during a quarrel in which Mrs. Erb's life was in danger.

Erb's body was found by Deputy Coroner Eugene F. White of Delaware county, when he was summoned, lying in a hallway on the second floor. The revolver was found on a dressing stand in the room which Mrs. Beisel occupied.

Mrs. Beisel is being held a prisouer in the Erb house. She will be taken to Media, the county seat, some time during the night.

Erb was killed shortly before 9 o'clock. His wife and her sister, Mrs. Beisel, who lives in South Sixteenth streef. Philadelphia, are said to have been the only other persons in the house.

A gardener employed by Erb ran to the house of Dr. Collbach, a few hundred yards from the Erb house, and told him of the tragedy. Dr. Collbach hurried to the Erb home and mounting the stairs came upon the body of Erb lying dead in

In order not to disturb the body before the Coroner came he refrained from making an investigation that would determine the place and character of the wounds, but a cursory look at the body showed that Erb was dead.

The physician was reluctant to make any statement concerning the shooting. When asked by telephone whether Mrs. Erb Beisel had been in the room did not know.

"Did either Mrs. Erb or Mrs. Beisel make any statement?" he was asked "None positive, and none that I can

give out," the physician replied. A coachman employed at the Erb place who ran from Red Gables to Chester Heights to secure the services of Constable Simpson told people in the office of the Mountain House to send Simpson to Red Gables at once.

Capt Erb and Mrs. Erb have been publicly accused her of intimacy with a number of men and two weeks ago had her arrested on a charge of poisoning him. The charge was later abandoned by Erb, but he was still firm in his declarations that the attempt had been made upon his life. Mrs. Beisel declared that Erb had not been poisoned but had taken a drink of hair tonic in mistake for

Erb and his wife lived in different parts of the old mansion and did not speak Mrs Erb last week had ber busband

arrested on the charge of setting flerce dogs upon her, and he had been held About two months ago Mrs. Erb had her

husband's negro coachman arrested charged with threatening to kill her. She said he had made thes? threats when she accused him of spying upon her actions. When the case came up Erb defended the coachman and used every means possible to have the case dismissed.

Many quarrels have reached the public ear including threatened actions and cross-actions for divorce.

Mrs. Erb's name before her marriage to Capt. Erb had been connected with that of a broker named E. Rothermel. who shot and killed himself a month before her marriage with Erb. She is a brunette, a great horsewoman and had many admirers.

Mrs. Beisel is a young woman scarcely more than 26 and has taken her sister' part in the domestic trouble that has rent the Erb household. She has spent most of her time at Red Gables, and both she and Mrs. Erb frequently have been

ordered from the place. The house the Erbs lived in is an ancient mansion in a great estate five miles away

from the nearest trolley line. Capt. Erb served throughout the Span ish-American War. He was identified with a number of corporations and was reported to be worth \$500,000. He was one of Israel W. Durham's most trusted lieutenants during the Quay trial and in the City Party revolt, and was a storm centre during that time.

GIRL OF FIFTEEN A SUICIDE. Left a Letter for Her Grandmother -Killed by Gas.

Elizabeth Grace Anderson, 15 years olf. was asphyxiated by gas in the kitchen of her home at 536 East 138th street last night. Her stepfather, Gustav Bishoff, found that the doors and windows had been locked.

Dr. Thomas Curtin, Coroner McDonald's physician, said that the girl evidently had planned suicide. She left a letter to her grandmother, a Mrs. Anderson, but the police and the Coroner would not make it public. Mr. Bishoff said that the girl had suffered from heart disease, but he knew of no reson why disease, but he knew of no reason why she should kill herself.

\$20,000,000 ESTATE DIVIDED.

T. R. Shear of New York One of J. Q

Packard's Residuary Legatees. MARYSVILLE, Cal., Oct. 6.- The will of John Q. Packard, who died on Saturday was filed here for probate to-day. The estate, estimated at \$20,000,000, is divided equally between Edward Winslow Packard of Salt Lake and Theodore R. Shear of New York city after several bequests are paid.

These relatives in the East receive \$10. Phese relatives in the East receive \$10,-600 each: Julia C. Wells and Mary W. Ellis of Rochester, N. Y.; Emma Hough, Evanston, Ill.; Harriet Cardozo, Albany, N. Y.; Josephine Dorrance, Sandy Point, Md.; Rate Clover, New York city; John Q. Packard, Williamsport, Pa., and Marian Marsh, Plainfield, N. J.

Coler Sloks 'Em on to the Commissioners

The Aldermen decided yesterday to investigate the investigators. They adopted a resolution yesterday calling upon the Commissioners of Accounts to furnish as speedily as possible statements of the sums they have expended on the investigations they have been making in the last year and what percentage of the appropriation for the administration of the department has been spent in paying accounting experts and inspectors to go ferreting around the offices of other departments and delving into the books and ledgers of the borough administra

of Accounts.

Borough President Coler of Brooklyn introduced the resolution. The Commi sioners of Accounts have had experts at work on his books for three months, and in a speech he made at yesterday's meeting he intimated that he resents the intrusion He declared that the Commissioners were spending money unnessarily nosing around, and he exclaimed:

"Let us have a showdown! These Commissioners are striking at the Borough Presidents and at the heads of the departments and are spending money right and left. What's behind it all? Is it politics or is it just personal persecution? It istime that we struck back at these Commissioners and those who are prodding them to make attacks on certain officials and bertain departments The expense of conducting my office last year was 5.7 per cent, of the budget, and yet despite that small proportion some one thinks

that it is necessary to investigate me." Mr. Coler went on to say that he knew that the Commissioners "had condoned crimes in some departments," while they had persecuted heads of other departwho were not guilty of such ments

After the meeting Mr. Coler was asked for more specific information on these condonations and crimes, but he only said that he would be more explicit when circumstances called for it.

FIGHT BETWEEN RAILROADS.

Putnam Division and Union Road Locked Over Bronx Right of Way.

The Godwin estate, which owns property on Bailey avenue to Riverdale avenue, The Bronx, four weeks ago got an injunction against the Union Railway Company restraining the company from with Erb when he was shot he said he continuing the Kingsbridge line, which

at present stops at 230th street.

This injunction was removed about a week ago, but since then the officials of the l'utnam division of the New York Central have refused to allow the Union Railway Company to cross its tracks. An engine has been kept running day and night.

About seventy-five laborers brought to 230th street yesterday by the Union Railway Company. The same number was brought there by the other comleading a curious life lately. He had pany later in the day. A barrier of rails publicly accused her of intimacy with a was piled up as an obstruction to the Union Railway Company's passing the

might make a move before morning:

One of Bugher's Men Winged in the Arm

Policeman Michael J. McGrath, attached to Deputy Commissioner Bugher's office, was shot in the arm and clubbed on the head last night by Policeman Max Greenbaum of the East Fifty-first street station. McGrath was in plain clothes, and Greenhaum said after the shooting that McGrath had attempted to shoot him when he questioned him about what he was doing.

Greenbaum told Capt. Lantry of the East Fifty-first street station that he found McGrath lying in the doorway of pawnshop at 665 Third avenue. He thought he was drunk and tried to arouse im. He said that McGrath said nothing shout being a policeman, but drew a blackiack and a revolver and tried to agault him.

Greenbaum said that he shot at McGrath's right arm in order to disarm nim. McGrath was taken to the Flower Hospital to have his wounds dressed His condition is not serious.

All that McGrath would say when questioned about the shooting was that he had been working on a "plant" when Greenbaum accosted him. Capt. Lentry put Greenbaum under

ward at the station. The shooting attracted a crowd and Capt. Lantry turned out the reserves. Father Hughes and Father Murray of St. Agnes's Roman Catholic Church in Forty-third street were called to attend McGrath. The ambulance surgeon said

that McGrath did not need a priest. At the hospital it was found that McGrath had two bullet wounds in his arm instead of one, as it was supposed at first. McGrath wore a gingham jumper and a battered derby hat. He said he was waiting for his partner when Greenbaum tackled him. Beyond that feGrath refused to say what mission he

Early this morning Inspector Walsh went to the hospital and put McGrath under arrest on charges of assault and resisting a policeman.

GEORGIA ELECTION TO-DAY.

Brown Sure of Election - Disfranchise

ment Amendment May Be Beaten. ATLANTA, Oct. 6 .- Georgia votes tomorrow for Governor and State officers and also on a disfranchisement amendment to the Constitution, the purpose of which it to deprive ignorant negroes of the ballot.

For the first time in years the Demo cratic ticket has opposition, Joseph M. Grown for Governor being oppos Yancey Carter, put forward by the Hearst With the exception of Governor Demogratio ticket is unopposed Brown will be elected, though Carter wil poll a strong vote. Carter's vote will not represent Hearst strength, but oppo-

ition to Brown among Democrats.

The fate of the disfranchisement amendent is in doubt. Negroes are registered in large numbers and many whites wil vote against it. The negroes will support

New stylish eyeglasses called "Hiklt" with Bi-sight or Toric Pebbles. Spencer's, 2 Malden Lane.

ALDERMEN PROBE PROBERS. TWO LICENSE GRAFT ARRESTS

SERGT. P. J. BIRD AND POLICE-MAN REID THE PRISONERS.

Bird, Who Has Been Missing, Is Accused of Extortion-Perjury Charge Against Reid-Two Other Policemen May Be Arrested-Jerome Takes a Hand.

Sergt. Peter J. Bird and Policeman Patrick J. Reid, who have been connected with the Mayor's License Bureau, which has been under investigation by the Commissioners of Accounts, were arested last night by detectives from the District Attorney's office. This action vas taken after a conference between the Commissioners and Assistant Discrict Attorney Murphy, who had been assigned by Mr. Jerome to assist in the investigation. It is likely that other policemen connected with the license squad will be arrested.

Sergt. Bird was arrested late last night at his home at 1088 Lind avenue, The Bronx, by three detectives from Mr. Jerome's office and brought to Police Headquarters. He was locked up charged with violation of section 522 of the Penal Code the specific complaint being that on April 10, 1907, he demanded \$200 from Dorothy Mason of 441 East 149th street under color of right of his office and received \$50.

Bird disappeared on Friday last after the hearing before the Commissioners of Accounts and was not found until Monday night, when Police Surgeon Brown got him at his Bronx home. After an examination Dr. Brown said he was fit for duty. Bird was ordered to report to the Mercer street station yesterday morning, but he did not. Had he failed to appear by this afternoon he would have been absent five days without leave and would have been dismissed from the

Bird testified before the commissioners that he had frequently renewed licenses when the applicant had not been present in person, but said that he had always turned in the money and had never charged more than the legal fee. William Brandt, a pedler, testified, how-ever, that he had got a renewal of a li-cense from Bird when he had never had one before.

Dorothy Mason, another witness, tesified that she had opened a picture show on Boston road in April, 1907, and had been approached by Bird and told that she could not have any show unless she paid him \$200 for the license She haggled with him until she got the price down to \$50. This money was paid, and with witnesses she met Bird later in a saloon on Third avenue and 149th street Sergt. Bird has been connected with

the License Bureau for several years.

It was said yesterday that there would oe other disclosures in a few days. Policeman Reid was arrested at the Mercer street station by Detective Flood other tracks.

At midnight last night the laborers of the two roads were camped at the crossing and it was said that the Union company

of District Attorney Jerome's staff on a charge of perjury. At the hearing before the Commissioners of Accounts on Friday two men interested in a concern known as the Star Moving Picture Company testified that they had paid Reid

> anded by Reid Reid when called to the stand swore that there was not a word of truth in their story and said that he did not know the two men. When Commissioner Mitchel called to them to stand up Reid admitted that he had seen them five days before. He said he had seen them when he went to inspect a new place they were about to

His explanation became so involved that Commissioner Mitchel asked him if he knew what perjury was and if he did not desire to change his testimony, but Reid stuck to his story. Then he was transferred to the Mercer street precinct, where Commissioner Bingham could keep

his eye on him Reid's home is at 76 Propetcha avenue, Corona, L. I. He has been on the force fourteen and a half years. He was attached to the License Bureau for eighteen months.

He was locked up in the Mercer street station house and will be arraigned in the Tombs police court to-day.

Acting Capt. Henry of the Mercer street station went to the night court and told Magistrate Herrman that the District Attorney did not want bail acpented for Bird or Reid until the surety had been passed upon by a representative of the District Attorney's office. There were two men ready to give bail for the policemen, but the Magistrate would not accept their bond.

THE CONSCIENCE OF '61. Veteran, Well and Hearty. Returns

\$1,172 to Pension Bureau. WASHINGTON, Oct. 6 .- Vespasian Warner, Commissioner of Pensions, told President Roosevelt to-day of a remarkable case of stricken conscience. Some time ago the Commissioner got a letter from a pensioner of the civil war surrendering his certificate and enclosing two \$500 coupon bonds of the United States and a draft for \$172, thereby making full restitution to the Government of all money he had received on account of the certificate of pension.

Commissioner Warner refused to give the name of the soldier and declared he had not disclosed it to the Treasurer of the United States, to whom were turned over the bonds and conscienc money When the conscience contribution first arrived the Commissioner caused an examination to be made of the records in the case. On the showing the veteran was entitled to his pension beyond a question. A special examiner was sent out to make an investigation on the theory that the soldier might be mentally irresponsible.

The conscience stricken man was found to be in excellent health and of sound mind. Thereupon the account with conscience was declared closed, and the bonds and money were covered into the miscellaneous receipts of the Treasury De-

WON'T NOMINATE BECKETT. Tammany Picks John P. Cohalan for Sur-

rogate Nominations To-Night. The Republican and Democratic county conventions will be held to-night to nominate each a candidate for Justice of the Supreme Court, a Surrogate and two Justices of the City Court. The Democrats will meet in Tammany Hall and

the Republicane in Murray Hill Lyceum. The Temmany nomination for Supreme Court will probably go to Emanuel Blumenstiel, who is a friend of Justice Truax and of Charles F. Murphy but has never been active in Tammany politics. The friends of John J. Delany are working in his interest and his name may be pre-sented to the convention.

John P. Cohalan will be put up by Tam-

many for Surrogate. Mr. Murphy has refused to listen to the appeals made to him to join with the Republicans in nominating Surrogate Beckett to succeed himself. Mr. Cohalan is a brother of Dan Cohalan, Mr. Murphy's mentor and adviser and chairman of the Tammany Hall committee on law.

For the two places on the City Court bench there are many applicants. It is understood that Maurice B. Blumenthal is almost certain to land one of the nominations and that the other will go either to John J. Freschi, Edward B. La Fetra, Robert L. Lauce or Alfred J. Talley M. LINN BRUCE FOR SUPREME COURT.

The choice of the Republican county convention for Justice of the Supreme Court will probably be ex-Lieut.-Gov. M. Linn Bruce. Charles S. Whitman the organization regards as Mayoralty timber for next year. Surrogate Beckett will be named to succeed himself. The candidates for places on the City Court bench will according to the tentative ticket made up last night, be Douglas Mathewson and Isidor Wasservogel.

DARRIN NOT RENOMINATED. Queens Republicans Name Dana Wallace

for District Attorney. Dana Wallace was nominated for District Attorney by the Republicans of Queens county last night. Mr. Wallace is at present an Assistant District Attorney and is the nominee of the Independence League. Ira G. Darrin, who was a candidate for renomination, was dropped after a complimentary informal ballot, and his name was not mentioned on the formal ballot-

The candidates besides Wallace and Darrin were Thorndyke C. McKennee. another Assistant District Attorney, and James A. Dayton, whom Mr. Darrin appointed as a special assistant to help in the prosecution of the Hains brothers. On the formal ballot the vote stood

Wallace, 84, and Dayton, 70.

Mr. Darrin several times had expresse determination not to run again and this gave his opponents an advantage. A short time ago he announced himself as a candidate but aroused no interest outside of his own district. It is doubtful if the Hains trial will be completed before

RAILROAD BAITING LAW VOID. Mississippi Statute Penalizing Suit Trans-

fers, Held to Be Unconstitutional. GULPPORT, Miss., Oct. 6 .- Judge Wood of the Chancery Court to-day declared unconstitutional the act of the Legislature which penalize's railroads that remove litigation from the State to the

Federal courts. The question came up in the case of the State of Mississippi, which sought to oust the Louisville and Nashville Railroad from the State because the road ad recently transferred litigation started

in the State courts to the Federal courts. The case was argued at length to-day by the Attorney General and the lawyers representing the railroad, and a demurrer filed by the railroad pleading the unconstitutionality of the law was sustained by the court.

NIGHT RIDERS BURN HOUSES. Send Notices to Planters Fixing Rents

Then Fire Their Property. JONESBORO, Ark., Oct. 6 .- Two residences and one tenement were burned at Leslie by night riders last night, caus-

ing a loss of more than \$4,000. The houses were the property of William Stewart and Andrew Schug. Stewart, who owns a plantation of \$40 acres, and Schug, 250 acres, both received letters the same day which read nearly the same. The one received by Schug was as follows:

Rent your land for 1909 at \$4 per acre.
Furnish good houses and good fences, one house for each forty acres. This is a reasonable demand. If you don't think so we will prosecute. Fire has the same power to-day that it had at the beginning of the world. We don't aim to harm any one who obeys our commands. But this one who obeys our commands. But this you must do or suffer financially or possibly in the flesh. And when you receiv this notice simply obey. Back talk don' go with us. (Signed) N. R. D "

HAINS LAWYER SEEKS DELAY Says Grand Jury Foreman is a Friend of

John F. McIntyre of counsel for Capt Peter C. Hains and his brother, T. Jenkins Hains, announced yesterday that he would protest against the case being presented to the present Grand Jury on the ground that William H. Williams, Jr., the foreman, was a personal friend of William E. Annis, whom Capt, Hains shot, and long a friend of Mrs. Annis, and that since the shooting Williams had declared

that the Captain and his brother ought to be hanged for the murder.

Mr. McIntyre, it is expected, will serve notice on the District Attorney, that he will challenge Williams and contest any indictment that a Grand Jury of which williams is a member may return. If McIntyre's protest is heeded it will mean that the indictment of the Hainses will have to go over to the November Grand

RAPS TOM TAGGART'S RESORT. Indiana Courts Decide Against French

Lick and West Baden Cone INDIANAPOLIS, Oct. 6 .- Progress in putting the French Lick Hotel Compa of which Thomas Taggert is the head and the West Baden Hotel Company, owned by Lee Sinclair, on trial for their corporate lives was made for the State to-day when the Appellate Court denied a petition for a rehearing in the suits to forfeit the charters of the two companies.

Two More Onio Counties Go Bry.

Columbus, Ohio, Oct. 6.—The Prohibitionists continued their victories today in local option elections, carrying Paulding county by 1,000 and Wyandot county by 50.

panies.

Another blow was suffered by the Court to-day reversed the decision of Judge Buskirk of the Orange county Circuit Court quashing indictments against persons charged with having visited a gambling house near French Lick.

REGISTRATION STILL BEHIND

TOTAL FOR TWO DAYS IS 26,-000 LESS THAN IN 1901.

This County Maspendible for 28,000 of the Loss There Are Beatly Some 60,000 Missing Voters If All Conditions Are Taken to Be Normal.

The registration, which would be from to 8 per cent. above that of 1904 if the precedent to the preceding four year interval were followed-and that means would appreximate 470,000 for the two days in the whole city-is so far only 408,466, compared with 484,817 for two days in 1904. As heretofore, the last district to report was Percy Nagle's, the Thirtieth, Manhattan,

The greatest loss is in the downtown districts in Manhattan, while the growing uptown districts are beating the 1904 record. The total for this county is 224,891, against 247,525 in 1904. Brooklyn is nearly 8,000 behind 1904; Queens, which grows rapidly, is 3,000 ahead, and Richmond is a little behind. The detailed returns fellow: SUMMARY.

First Two Days. 1908. 1907. 1906. 1905. 1904 Man.* & B... 224,591 161,345 208,869 192,642 247,525 Brooklyn... 149,199 105,925 123,080 124,628 156,927 Queens.... 25,957 17,000 17,929 19,303 21,034 Richmond... 8,919 6,766 7,569 7,311 9,331 Totals.... 408,466 291,096 352,457 343,884 434,817 Details for New York and Kings counties follow:

MANHATTAN AND BRONX.

		First Two Days.					
Ass'y Dist.	.2dDay 1908.	1908.	1907.	1906.	1905.	1904.	
1	2106	5108	3918	5230	5278	6722	
2	2262	4626	3920	4899	44:19	5671	
3		5630	4887	5627	5815	6775	
4	2247	2686	3070	4087	3959	5339	
5	2330	5835	4397	5899	5542	7060	
6	2791	4147	3541	4298	3941	5386	
7	€227	5287	8864	5242	5580	7056	
8	2726	3983	3286	4884	4273	5810	
9	2260	5126	8615	4952	5381	,7805	
10	2286	4500	3314	4861	4956	6512	
11	2263	5821	4458	5849	6081	7170	
12	2207	5585	4403	5461	6516	7911	
13	2193	5380	4201	4788	5000	6692	
14	2227	5380	4877	5388	5624	7277	
15	8344	8332	4843	7063	5848	6538	
16	2817	5243	3949	4687	4830	6210	
17	3067	7631	4862	7049	5831	7767	
18	2452	5414	4171	4978	4589	6053	
19	3596	8439	5511	6069	6213	7951	
20	2346	5414	4529	5147	5114	6413	
21	3589	8512	5222	7086	6122	8230	
22	2560	5693	4500	5397	5382	6641	
23	4981	11892	7074	8642	6332	7785	
24	1825	4059	3136	2969	3781	4908	
25	2734	7103	4632	7003	6202	9117	
26	3066	5670	4052	5582	5063	6325	
27	. 2482	6342	3493	6114	5508	8546	
28	1795	3998	2881	3776	1 3569	4779	
29	3163	7420	4752	6668	5884	8686	
90	4182	9285	6436	8243	7993	10063	
31	8721	7371	5223	6960	6317	8583	
32	. 5303	11677	8189	9004	8567	1973	
33	3000	7019.	5136	5804	5307	6193	
94	4161	9251	5779	0923	6150	6423	
35	3653	8296	5825	6206	47581	6643	
Total	99.688	224,891	159,446	203,869	192,642	247,525	

Mr. Darrin retires from office the first of Total 4 days..... 22,128 269,003 360,245 390,476

Total vote		286,131 346,874 839,223 369,495						
	1 100	81	ROOKLY	400	dament have	Albania		
A ss'u	to Day	First Two Days.						
Dist.	190%.	1900.	1907	1906	. 1905	1904.		
1	2510	6410	4266	5568	5730	7262		
ž	2195	5152	4100	4942	5005	6404		
3	2040	4990	3505	4897	4444	5661		
4	2587	5907	4893	5281	5343	6875		
5	3060	7373	5843	6226	6279	7622		
6	2610	5636	4205	5030	5100	6880		
7	2202	C030	3743	4435	4482	5600		
8		5113	4084	4574	4627	5970		
9	3713	7746	4774	- 5280	5396	6742		
10	2846	7066	4743	6117	6232	7777		
11,	2853	6814	4986	5963	6032	7491		
130	3296	8232	5912	6674	6743	P202		
13	2141	4702	8701	4322	4892	5652		
14	2096	47.17	8774	4000	4090	5830		
15	2338	5334	4404	4744	4799	5942		
16	3627	8:96	5196	· 5660	5728	7385		
17	2845	7440	5322	6561	6620	8089		
18	3770	8583	5236	5537	5894	7101		
19	2195	4746	3547	4202	4255	5598		
20	2766	6424	4503	5220	5282	6688		
21	2006	3831	2741	3468	3503	4468		
22	5376	11762	8124	8540	F669	10973		
23	3786	7560	5229	5928	6001	7715		
		49,199 1	05,891	123 090	124,628	1 56,027		
Total	4days.		216,910	236.927	231,763	247,127		

Total vote. 190,833 224,829 218,831 285 803 FLEET SAILS ON FRIDAY. Visit to Japan Next-Rides Out Two

Typhoons at Manila Without Damage. Special Cable Despatch to THE SUN. Manilla, Oct. 6 .- The battleship fleet will probably take its departure for Japan Friday next, returning here by Novem-

Complete reports of the two typhoons that lately visited the islands show that no injury whatever was done to the battleships or their tenders. Three small schoopers were wrecked and eight persons, including a foreigner, were drowned. Many native shacks and temporary nipa or grass buildings at Camp Stots were destroyed, but no serious damage

was done to the crops.

The number of new cholera cases Manila averages eight a day. The disease is gradually diminishing.
WASHIN 2TGN, Oct. 6.—The report on

cholera from the Governor of the Philippines to-day was: To 8 A. M., October 6, eleven cas from 8 A. M. to 5 P. M., three cases

DALAI LAMA OBSTRUCTIVE. Opposes Chinese Reforms in Tibet and Angers the Pekin Authorities.

Special Cable Despatch-to THE SUN.
SHAHGHAI, Oct. 6.—The conduct of the Dalai Lama of Tibet since his arrival in Pekin has been such as to arouse the indignation of the Chinese Government. He refuses to discuss Tibetan affairs repudiates the reform measures in China desires to introduce in

KNABENSHUE NEAR DEATH.

Balloonist's Controlling Apparatus Gets Out of Gear Half a Mile Up. PITISBUIIG, Oct. 6.-Roy Knabenshue the aviator, and George Duesler, his mechanic, had a narrow escape from death to-day while making an exhibition fight over the business part of the city.

breaking of a wire when half mile in the air just over the Frick building disabled the controlling apparatus. The balloon, which a moment before had been sailing beautifully, began twisting and turning, while the propellers orced it rapidly toward the earth.

Duesler climbed out of the basket and crawled along the framework until he i catch the parted wire. Then he to the end of it until the balloon landed in Schenley Park, three miles to her apartments at 229 East Seventy-fifth street. could catch the parted wire. Then he clung to the end of it until the balloon from the scene of the accident.

NORMAN E. MACK ILL. Chairman Cellapses From Overwork a

Severe Cold. CHICAGO, Oct. 6.-Horman E. Mach committee, collapsed here to-night in his rooms at the Auditorium.

The breakdown was caused by over work, a chill and a severe cold. At midnight the attending physician said he would rally speedily, that he had but little fever and that he looked for his

early return to work. Mr. Mack said that since his arrival in Chicago on Monday evening he had worked harder than usual and had comaned himself to his work longer he should. He said he had contracted a cold while

t his home in Buffalo. NAVY ASKS FOR AEROPLANES.

Bids Calls for Machines With Cruising Radius of 100 Miles.

WASHINGTON, Oct. 6.-Bids for furnishing aeroplanes for the navy were authorized at the Navy Department to-day, made by next spring. The navy has been much interested in the subject of aerial flight since the fine showing by Orville Wright at Fort Myer. Lieutenant-Commander Sweet, the official observer for the Navy Department, was in frequent consultation with Mr. Wright as to the best type of flying machines to ask for in issuing the specifications.

The specifications will call for machine capable of covering forty-five or fifty capacity of at least four hours. This would give a cruising radius for the airship of about one hundred miles.

WIFE TACKLES BANKRUPT. She Wants Her 80 a Week-Snyder Says He'll Berrew It.

Rye Beach Inn busted, was in the West one. Side court yesterday to answer a charge of non-support made by his wife, Amelia, is still believed that she is the moving of 308 West 151st street. Snyder was spirit in a "great international conarrested by Lieut. Ennis of the court spiracy" to compel a readjustment of squad immediately after yesterday's relations in European politics. hearing in bankruptcy before United States Commissioner Gilchrist.

Pool four years ago had ordered her husband to pay her \$9 a week and that he had paid it up to three weeks ago. tangled he couldn't raise the money, but he promised to borrow it. He was put on probation by Magistrate Steinert.

SKYSCRAPER LIMIT 350 FEET If the Building Code Revision Commission

Has Its Way. Chairman Thomas J. Brady of the Building Code Revision Commission sent to the Aldermen yesterday the recommendation which has then decided on by the commission, that in future buildings erected in this city shall be restricted to a height of 300 feet unless the structures front on a park, square or plaza, in which case the height is not to exceed 350 feet. but the loss of these provinces is not

The Aldermen referred the communica tion to the Committee on Buildings with instructions to hold a public hearing. Whatever decision may be reached by the Aldermen will have to be passed upon by the Board of Estimate and then by the Mayor.

SEITZ RUNNING FOR OFFICE.

Former 100 Yard National Champion Nominated for Assembly in Westchester. NEWROCHELLE, N.Y., Oct. 6 .- The Demo crats of the Second Assembly district of Westchester county to-night nominated Charles J. Seitz of Mount Vernon for the

Mr. Seitz is 26 years old and a lawyer. He was formerly at Fordham University and Georgetown. In the latter university he was prominent in track athletics and also as an oarsman. After leaving college he joined the New York Athletic Club and in 1906 won the 100 yard national championship.

N. Y. & WESTCHESTER UPHELD. Charter of Railroad Company Declared

Valid by Court of Appeals. ALBANY, Oct. 6.-The Court of Appeals to-day declared valid the charter of the New York, Westchester and Boston Railroad Company, which proposes to operate an electric road in The Bronx and Westchester county. The decision was in a condemnation proceeding.

The court decided further that as part of the original route is not now in the possession of the railroad company, before it can build the line along that part of the route which covers the land it is proposed to condemn the company will have to get a certificate of public necessity from the Public Service Commission. This does not affect the portions of the road already built.

WORCESTER TO WORCESTER. English City Will Send Historic Suits of Armor to Massachusetta Nameake.

Special Cable Despatch to THE SUK. LONDON, Oct. 6 .- The City Council of Worcester has decided to present to the city of Worcester, Mass., two sets of armor, relics of the battle of Worcester,

which was fought in 1651. The Mayor recalled that some time ago the council sent a stone from Word Cathedral to be used as the foundation stone of a church in Worcester, Mass. and said that such acts might help to counteract William R. Hearst's calumny that England was the hereditary enemy of the United States.

IT WAS A BOY.

And the Woman Accused of Arson Won't He Bothered for Two Weeks.

When the case of Charlotta Ingrassia who is charged with arson, was called in the Yorkville police court yesterday there was no response. As the defendant was under heavy ball Magistrate Breen sent a messenger to the prison. Capt. Lynch, the Warden, came into court and whispered to the Magistrate. The Court smiled and announced that the case had been

postponed for two weeks.

As Capt. Lynch turned to leave the bridge the court called after him, "Is it a boy or a girl?"

"A boy, your Honor," replied the Warden, "and a fine one at that."

BUROPE HOPES FOR PEACE

PRICE TWO CENTS.

CONGRESS OF POWERS ON BALL RAN CRISIS PROBABLE.

Farkey, Fermally Notified of Her Lossed by Austria and Bulgaria, Will Protest to the Powers-Only Servin Warlike-Acclaiming Czar Ferdinand.

Special Cable Despatch to THE SUN. LONDON, Oct. 7.-This morning dawns upon better prospects of peace in Europe than any one dared to hope for on Monday. The fact that yesterday passed without anything done or said to complicate the

situation is regarded as encouraging. The principal developments of the day may be briefly summarized as follows: The Austrian Ambassador notified the Turkish Government of its purpose to

annex Bosnia and Herzegovina and to withdraw from the province of Novibazar. In Vienna a rescript of Emperor Francis Joseph was published justifying this act. There is great excitement in Servia, and in Belgrade a declaration of war against Austria is threatened. The Turkish Government has resolved to protest to the Powers both against the

action of Austria and against the declaraup to the time of the accident at the fort tion of independence by Bulgaria, Czar Berdinand having formally notified the Porte of the latter event. Turkish anger is much more actively aroused against Bulgaria than Austria, but the Young Turk party opposes war as likely to be injurious to Turkey. Turkish opinion seems also to be

as Turkey has always got the worst of the deals made by such bodies; but in the other capitals of Europe there is Oscar Snyder, who went into bank- much talk of one, though no Power seems ruptcy with Honest John Kelly when the as yet to have taken the initiative in calling Germany remains strangely silent. It

opposed to a congress of the Powers.

The St. Petersburg corresponden of the Times says that Bulgaria Snyder's wife said that ex-Magistrate asked Russia to recognize her independence and to appoint a Minister ausband to pay her \$9 a week and that he had paid it up to three weeks ago. Snyder said that his affairs were so pective European congress. M. Tzokoff Bulgarian agent at St. Petersburg, expects to be recalled.

> AUSTRIA NOTIFIES TURKEY. Government and Young Turks Protest -Greatest Wrath Against Bulgaria.

Special Cable Despatches to THE SUN.
CONSTANTINOPLE, Oct. 6.-M. Pallavicini, the Austrian Ambassador, visited the Porte to-day and notified Kismil Pashs, the Grand Vizier, of the annexation of Bosnia and Herzegovina and the

Turkey will protest to the Powers,

causing any popular resentment that can be compared with that aroused by the Bulgarian revolt.
The Council of Ministers was in se sion throughout last night. It was decided to address a circular note to the

Powers and to Bulgaria protesting against the violation of the Treaty of Berlin. The address to the Powers, it was a nounced, will point out the necessity for taking measures to insure respect for the Treaty of Berlin, adding that in case of

necessity Turkey will defend her rights by force. It is understood that Russia has promised Turkey her moral support The Ikdam announces that the Sultan has replied to Ferdinand's note announcing the declaration of the independence

of Bulgaria. The Sultan says that the rights of Turkey are guaranteed by the Powers, and that therefore she is obliged to depend on them. The Tanin, the leading organ of the Young Turk party, condemns the idea of war and says: "Whoever counsels war is seeking the ruin of the country." The Tanis reminds its readers that war

a previous occasion, though, it adds, this time the task would not be so easy.

SALONICA. Turkey. Oct. 6.—The Central Committee of Union and Progress, the Young Turks, to-day issued a proclama-tion, announcing in regard to Bulgaria's declaration of independence and Austria's intention to annex Bosnia and Herzegovina that both these acts are viols-

robbed Turkey of its constitution upon

tions of Turkey's rights. The committee solemnly protests in the name of humanity against "the ill feeling that is entertained by Austria-Hungary and Bulgaria toward a people which is progressing in the direction liberty."

The committee appeals to the public opinion of Europe against "this attemp; on the most sacred rights of a nation." VIENNA, Oct. 6.-Austria's annexation of Bosnia and Herzegovina will be formally announced to-morrow by the publication of a rescript from the Emperor to Foreign Minister von Aehrenthal, which will say:

"Being imbued with the unalterable conviction that the lofty civilizing and political objects for which the Austro-Hungarian monarchy undertook the occupation and administration of Bosnia and Herzegovina, and the results of that administration, already obtained with costly sacrifices, can only be permanently secured by granting constitutional insti-tutions corresponding with their new needs, for the setting up of which the establishment of a clear and unequivocal legal position for the two provinces forms an indispensable condition, I extend the rights of my sovereignty over Bosnia and Herzegovina, and at the same time bring into force in those provinces the rules of succession applying to my house. As a demonstration of the peaceful purposes which led me to this immutable decree I at the same time order the evacuation of the Sanjak of Novibazar by the

troops of my army stationed there. .The imperial proclamation to the people of Bosnia and Herzegovina, which will be published to-morrow, recalls that the Austrian occupation was undertaken in 1878 "with the firm will to remedy the evils from which your fatherland has suffered severely for so many years. It goes on:

This word given at a grave moment has been honestly kept. It has been the constant endeavor of our Government to

lead the country in calm legality and by